THE HONOURABLE SRI JUSTICE G. BHAVANI PRASAD

W.P.No.20431 of 2004

Date: 05.07.2006

Between:

Ch. Mallaiah, S/o Agamaiah

…. Petitioner

And

The Mandal Revenue Officer, Kowdipalli Mandal,
Medak District and others

…. Respondents

ORDER:

Heard both the learned counsel for the parties.

In the interim order dated 08.11.2004 passed by this Court in W.P.M.P.No.26753 of 2004, it was observed that the bore-well was dug much prior to the enforcement of Andhra Pradesh Water, Land and Trees Act, 2002 at which time no permission was required to dig the bore-well and that the bore-well was not in an area notified to be an over exploited area. The order passed by the second respondent impugned in the writ petition was held to be unsustainable and was suspended.

The same facts do exist for adjudication of the writ petition as well and on the apparent facts, the interim order should be converted into final order.

Therefore, the writ petition is allowed and the impugned order of

the second respondent is set aside. No costs.

G. BHAVANI PRASAD, J

Date: 05.07.2006

Ksn